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April 10, 2006

Via Hand Delivery

Hon. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Boulevard
Post Office Box 615
Frankfort, Kentucky 40601

RECEIVED

APR 10 2006

PUBLIC SERVICE
COMMISSION

Re: *In the Matter of: Application of Bluegrass Wireless LLC for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Lily II) in Rural Service Area #6 (Laurel) of the Commonwealth of Kentucky before the Public Service Commission of the Commonwealth of Kentucky, Case No. 2005-00320*

Dear Hon. O'Donnell:

We are legal counsel to Bluegrass Wireless LLC ("Bluegrass Wireless") in the above-styled case. In that capacity, Bluegrass Wireless has requested us to respond to the Commission's order dated January 11, 2006. That order provides as follows:

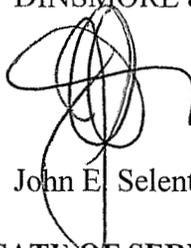
No later than April 10, 2006, Bluegrass Wireless shall advise the Commission, in writing, of the status of its determination regarding jurisdiction for the proposed facility. If Bluegrass Wireless makes a determination that the Commission has jurisdiction to grant the Certificate of Public Convenience or Necessity requested in its application, it shall submit, on or before the above deadline, a memorandum of law in support of its position. The memorandum shall be no more than 10 pages.

Bluegrass Wireless has reviewed the matter with legal counsel and has determined that the Public Service Commission does not have jurisdiction over this matter. The case should therefore be dismissed by order dismissing the case for lack of subject matter jurisdiction.

Thank you, and if you have any questions, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



John E. Selent

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the following individuals, each of whom are intervenors in this matter, by first class United States Mail, sufficient postage pre-paid, this ~~10th~~ day of April, 2006.

L. Glenn and Sue L. Shadoan
550 Shackle Road
London, Kentucky, 40744-7942



Counsel To Bluegrass Wireless LLC

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